

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION
Civil Action No. 9:14-cv-03913-DCN

PETER DEMARCO and LINDA)
DEMARCO,)

Plaintiffs,)

v.)

NOTICE OF REMOVAL

DIRECTV, INC; DIRECTV, LLC; THE)
DIRECTV GROUP, INC.; MASTEC,)
INC.; MASTEC ADVANCED)
TECHNOLOGIES; and MASTEC)
NORTH AMERICAS, INC.,)

Defendants.)

**TO: THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF
SOUTH CAROLINA, BEAUFORT DIVISION; THE COURT OF
COMMON PLEAS FOR BEAUFORT COUNTY, SOUTH CAROLINA;
AND ALL PARTIES AND ATTORNEYS OF RECORD:**

YOU WILL PLEASE TAKE NOTICE that Defendants hereby invoke the removal jurisdiction of the United States District Court for the District of South Carolina pursuant to 28 U.S. C. §§ 1332, 1441, and 1446 on the following grounds:

1. Upon information and belief, at the time of the commencement of this action and of the filing of this Notice of Removal, Plaintiffs are South Carolina residents.

2. At the time of the commencement of this action and of the filing of this Notice of Removal, DIRECTV, LLC (incorrectly named as Defendants DirecTV, Inc, DirecTV, LLC, and the DirecTV Group, Inc.) was a Delaware corporation with its principal place of business in California.

3. At the time of the commencement of this action and of the filing of this Notice of Removal, Defendants Mastec, Inc., Mastec Advanced Technologies, and Mastec North Americas, Inc. were and are a Delaware corporation with its principle

place of business in Florida.

4. Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, complete diversity of citizenship exists, and this Court has subject matter jurisdiction over this case.

5. Plaintiff served DIRECTV, LLC (incorrectly named as DirecTV, Inc, DirecTV, LLC, and the DirecTV Group, Inc.) on or about September 8, 2014. Service on Defendant Mastec is unknown at this time. This lawsuit is now pending in the Court of Common Pleas for Beaufort County, State of South Carolina, located within the above-named Division of this Court, and the time for Defendants to answer, move, or otherwise plead to Plaintiffs' Complaint has not yet expired.

6. This is a civil action in which Plaintiffs seek to recover damages and alleges the matter in controversy between the Plaintiffs and Defendants, exclusive of interest and costs, exceeds the sum or value of Seventy-Five Thousand and no/100 Dollars (\$75,000.00), of which the District Courts of the United States have original jurisdiction.

7. A copy of all process, pleadings and orders served upon Defendants are attached to this Notice.

8. Defendants are providing simultaneously the Clerk of Court of the County from which the action was removed and all parties with a copy of this Notice for Removal.

WHEREFORE, Defendants pray that this Notice for Removal be accepted as sufficient for removal of this action to this Court.

TURNER PADGET

/s David S. Cobb

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October 8, 2014

ATTORNEYS FOR DEFENDANTS